

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3111
)	
v.)	
)	MEMORANDUM AND ORDER
LUIS A. CRUZ,)	
)	
Defendant.)	

The defendant has moved to continue trial, (filing 24), because the defendant has been hospitalized and counsel has been unable to continue plea negotiations. The government does not oppose the requested continuance. The Court finds defendant's motion will be granted.

IT IS ORDERED:

- 1) Defendant Luis A. Cruz's motion to continue, (filing 24), is granted.
- 2) The trial of this case is set to commence before the district judge at 9:00 a.m. on April 4, 2011 for a duration of three trial days. Jury selection will be at the commencement of trial.
- 3) Based upon the showing set forth in the defendant's motion and the representations of his counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and April 4, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

DATED this 14th day of February, 2011.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge